

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JORGE L. GARIB-BAZAIN,)	
)	
Petitioner,)	
)	
vs.)	NO. CIV-05-1509-HE
)	
SCOTT A. MIDDLEBROOKS,)	
)	
Respondent.)	

ORDER

This case, which was transferred to this court from the United States District Court for the Middle District of Alabama, Northern Division, is before the court on the Report and Recommendation of Magistrate Judge Valerie K. Couch. [Doc. # 4]. Petitioner, a federal prisoner appearing pro se, seeks habeas corpus relief pursuant to 28 U.S.C. § 2241. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred to Judge Couch for review. On January 11, 2006, Judge Couch issued her Report and Recommendation, finding that the transfer of this action to this judicial district was clearly wrong and recommending that the case be re-transferred to the Middle District of Alabama.


No party has filed an objection to the Report and Recommendation. Therefore, further review of the issues contained therein is waived. United States v. One Parcel of Real Prop., 73 F.3d 1057, 1059-60 (10th Cir. 1996). See 28 U.S.C. § 636(b)(1)(c); LCvR72.1(a). For this reason, and for the reasons contained in the Report and Recommendation, the court concludes this action was incorrectly transferred to this judicial district and should be re-

transferred to the United States District Court for the Middle District of Alabama, Northern Division.

Accordingly, the Report and Recommendation is **ADOPTED** in its entirety. This case is hereby **TRANSFERRED** to the United States District Court for the Middle District of Alabama, Northern Division.

IT IS SO ORDERED.

Dated this 24th day of February, 2006.



JOE HEATON
UNITED STATES DISTRICT JUDGE